

NO. : 7:07-CV-166-H


Defendant.

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Fed. R. Civ. P. 72(b); see also Local Civil Rule 72.4(b)(1), EDNC. No objection to the M&R having been filed, plaintiffs have waived their right to de novo review of any issue covered in the M&R. Nevertheless, this court has conducted a full and careful review of the M&R and other documents of record and, having done so, hereby finds that the recommendation of the magistrate judge is, in all respects, in accordance with the law and should be approved.

Accordingly, the court ADOPTS the recommendation of the magistrate judge as its own. Defendant's motion for partial summary judgment [DE #345] is GRANTED. Plaintiffs' claims for pre- and post-shift donning, doffing, washing, walking, and waiting time under the FLSA arising after July 1, 2009, are hereby DISMISSED with prejudice.

This 24th day of September 2010.


MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
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